

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 162.16, the Department of Agriculture and Land Stewardship hereby gives Notice of Intended Action to amend Chapter 67, “Animal Welfare,” Iowa Administrative Code.

The amendment updates provisions related to the Department’s ability to regulate federal animal facilities.

Any interested person may make written suggestions or comments on or before June 23, 2011. Written comments should be sent to Margaret Thomson, Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319; or faxed to (515)281-6236. E-mail comments may be sent to Margaret.Thomson@IowaAgriculture.gov.

A public hearing will be held on June 23, 2011, at 2 p.m. in the second floor conference room of the Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa.

This amendment was also Adopted and Filed Emergency on March 18, 2011, and was published in the April 6, 2011, Iowa Administrative Bulletin as **ARC 9456B**. Because the Adopted and Filed Emergency amendments to rule 21—67.8(162) have already been incorporated into the rule and published in the Iowa Administrative Code, it was necessary to rescind rule 21—67.8(162) and adopt a new rule whose content is identical to that of the Adopted and Filed Emergency rule.

No waiver provision is included in the proposed amendment; however, the Department waiver rule would apply.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 162.10A, 162.10B and 162.10C.

The following amendment is proposed.

Rescind rule 21—67.8(162) and adopt the following new rule in lieu thereof:

21—67.8(162) Applicability to commercial establishments with federal permits. In addition to obtaining the permit from the department, any person who operates a commercial establishment under a current and valid federal permit shall provide care ensuring adequate feed, water, and housing facilities and appropriate sanitary control, grooming practices and veterinary care. The department has the authority to inspect the premises and the required records.

This rule is intended to implement Iowa Code sections 162.10A, 162.10B and 162.10C.